

**MINUTES
of the
FOURTH MEETING
of the
LAND GRANT COMMITTEE**

**September 7-8, 2005
Mora**

The fourth meeting of the land grant committee was called to order by Representative Miguel P. Garcia, chair, on September 7, 2005 at 10:15 a.m. in the school board meeting room of the Mora independent schools.

Present

Rep. Miguel P. Garcia, Chair
Sen. Bernadette M. Sanchez, Vice Chair
Sen. Rod Adair
Rep. Justine Fox-Young
Rep. Jimmie C. Hall
Rep. Manuel G. Herrera
Sen. Richard C. Martinez
Rep. Debbie A. Rodella

Absent

Sen. Joseph J. Carraro
Sen. Gerald Ortiz y Pino

Advisory Members

Rep. Hector H. Balderas
Rep. Ben Lujan

Sen. Carlos R. Cisneros
Sen. Phil A. Griego
Sen. William E. Sharer
Sen. Leonard Tsosie
Rep. Eric A. Youngberg

Staff

Jon Boller
Sheila Manzagol

Guests

A copy of the guest list is in the meeting file.

Wednesday, September 7

Jacobo Pacheco, Mora land grant reorganizing committee, welcomed the committee to Mora and noted that this is the first time a legislative committee has met in Mora. He said that it is crucial to reconstitute the grant to prevent further loss of land in the area and preserve the area's culture and history. Antonio Medina, president of the New Mexico acequia association, welcomed the committee and described the cultural and spiritual roots of the community of Mora. Rosalie Regensberg, chair of the Mora county commission, welcomed the committee to

Mora, as did Michael Lavato, Mora county commissioner, who applauded the efforts of all the people who have kept land grant issues alive over the years.

Mora Land Grant: History, Current Issues, Proposed Solutions

Paula Garcia, Gilbert Quintana and Juan Archuleta, of the Mora land grant reorganizing committee, outlined the history of la merced de Santa Gertrudis de lo de Mora and its current reorganizing efforts (see meeting file for full presentation, proposed bylaws and recommendations).

Ms. Garcia explained that the grant was officially established in 1835, confirmed by congress in 1860 and issued a patent for 827,621 acres in the name of the 76 original grantees, their heirs and assigns in 1876. The grant was partitioned in 1915-16, with approximately 350,000 acres of unallocated common land being auctioned off at that time, according to Ms. Garcia. Today, she said, perhaps only about 200 acres of the common lands remain. Ms. Garcia presented several suggestions on how the state could help land grants in the state, including establishing a university chair for the study of land grants, supporting local language and history programs, fully funding the Guadalupe Hidalgo treaty division in the office of the attorney general, assisting with genealogy and land title research programs, training in local governance and public administration and providing seed money for reconstitution of land grant common lands.

Mr. Quintana said there are several obstacles to reorganizing the grant. Because the town of Mora was leveled in 1847, many documents were destroyed. Also, he said, birth and death certificates were not required until after 1912, so tracing heirship is difficult. Mr. Quintana stressed that the people of Mora are Indo-Hispanic, and that he would like to see instruction in not only English and Spanish, but also other local languages, such as the Apache language. He said that the grant needs to collaborate with the bureau of land management and forest service for the use or return of former grant lands.

Mr. Archuleta explained how most of the young people are leaving the grant, and how this is a worrisome trend. He said that Indo-Hispanos must claim and teach their heritage, and teach Spanish and not just Castilian Spanish. The stories must be taught in school, he said, and historical morals and values remembered.

Historical Background: Spanish and Mexican Land Grants

Georgia Roybal, the land grant forum, presented an audio-visual history of Spanish and Mexican land grants of New Mexico to the committee. The committee had asked Ms. Roybal for a general overview of the subject at an earlier meeting so that new members could become better acquainted with some of the long-standing issues still facing the land grant community today.

Town of Las Trampas Reorganization; Tierra Amarilla Land Grant Association

Filimon Sanchez and Bert Lucero, Las Trampas land grant association board of trustees, gave an account of their efforts at reorganizing the Las Trampas grant, also known as the Santo

Tomas Apostol del Rio de Las Trampas community land grant. Mr. Sanchez explained that he has been on the board of trustees for 25 years, and that the board has been working for many years on various challenges, including the task of identifying heirs to the grant, getting members to participate in the management of the grant and dealing with the forest service and its management of the approximately 21,000 acres of forest lands that were once part of the common lands of the land grant. He said that the board of trustees has been especially concerned about the forest service's thinning program, which tends to be excessive, but he thinks it is beginning to take into consideration the necessity of maintaining a healthy watershed and is becoming more flexible in its approach.

Mr. Lucero briefly outlined the grant's history, noting that the original grant of 58,000 acres was formed in 1751, with 28,000 acres confirmed by congress in 1860 and patented in 1913 by President Roosevelt. Currently, 21,000 acres are in Carson national forest and the remaining 7,000 acres have yet to be inventoried. He said that year after year, outsiders are filing quiet title suits and claiming much of the remaining property. Mr. Lucero explained that the land grant association initiated a process to create a local town government in 2002, and that in July 2003 it had adopted a charter and bylaws for the town (a copy is in the meeting file). He asked that the legislature look at the adverse possession statutes and put a moratorium on adverse possession within the grant for the time being. He also encouraged the committee to consider creating a state land grant fund to help community land grants recover lands within the boundaries of their grants.

Dennis Wells and Mario Martinez, Tierra Amarilla land grant association, reviewed the history of the Tierra Amarilla land grant. Mr. Martinez explained that his great-great-grandfather had applied to Spain for a grant, but had been denied because of the transition to Mexican rule. He reapplied to Mexico, but was denied because he had applied for a private grant. In response, he applied for a community grant, which he did receive. Accordingly, Mr. Martinez explained, the Tierra Amarilla grant was never a private grant, and was not referred to as such in the patent to the grant. Mr. Catron bought claims to the ejidos, but left people alone until they died or were fenced off. He also noted that though Mr. Catron claimed to have purchased land from Francisco Martinez, the purchase occurred 12 years after Francisco died, which was impossible, and Francisco signed with an "X" instead of his signature. In other words, Mr. Martinez said, Francisco did not sign those deeds over to Mr. Catron. He said that the land grant association wants the land back and that everyone living within the grant, even newcomers, is welcome to participate.

Economic Development Planning and Promotion; Federal Community Development Block Grant Legislation

Arturo Archuleta, director of planning for the north central economic development district, said that the legislature had appropriated \$250,000 for comprehensive planning and technical assistance, and that he is still waiting for approval of the contract to provide these services from the energy, minerals and natural resources department, to which the appropriation had been made. Mr. Archuleta then outlined the program, which will include statewide training, regional training, individual capacity building, comprehensive economic development planning,

housing strategic planning and individual capital outlay plans (ICOP) (see meeting file for program outline). He said there is also still some difficulty in getting government agencies to work with land grants because of confusion over which land grants are political subdivisions of the state. The committee requested that the governor be asked to notify state agencies of the status of these land grants.

Tito Madrid from Representative Heather Wilson's office informed the committee that the New Mexico congressional delegation is working together to support legislation to allow land grants to compete for community development block grants if they are recognized as political subdivisions of the state. The committee asked staff to send letters of support to the congressional delegation as soon as the legislation is introduced.

Economic Development Projects in Progress

Mario Gonzales, Carnue de Carnuel land grant, said that the grant receives approximately \$150,000 in revenue annually, most of which comes from billboard leases and cell tower leases. He said the grant pays high property taxes because it is so close to Albuquerque and thus needs a steady source of income. The grant would like to repurchase private tracts of land in the area to provide for affordable housing and establish a trust fund in the grant to purchase those lands in the next 20 years or so. Currently, he said, the grant has plans for a small business incubator and a small commercial development, along with construction of offices for the acequia association, the mutual domestic water consumers association and the land grant association. Mr. Gonzales said the grant is also looking at creating 40,000 square feet of commercial space along the lines of a small town main street project.

Jerry Fuentes, Nuestra Senora del Rosario, San Fernando y Santiago land grant, presented the land grant's master plan to the committee (a copy is in the meeting file). He said that formal zoning, declaration of roads, eco-tourism and sorting out water rights are all being considered as first steps in the process. Also planned are sewage facilities, a housing project, a model market for local goods and a cemetery for Chimayo. Mr. Fuentes thanked the committee for sponsoring a memorial last year, which really helped the land grant in its negotiations with the department of transportation on the road project that runs through the grant.

John Chavez, interim president of the Santa Cruz land grant, described how 2.5 years of work culminated in the reorganization of the grant and briefly explained the grant's new bylaws. He said that the grant's ICOP included a community and administrative center, which will probably be built in Chimayo in partnership with Rio Arriba county. In addition, he said that the grant is planning an economic development center, with offices for the post office, the mutual domestic water consumer association and the acequia association, along with a community marketplace to sell local crafts and crops. A housing master plan, including an affordable housing development, and resource development plan for the common lands is also in the works, he said.

The committee requested that the property tax division be invited to the next meeting to address questions on how the change in the law on delinquent property tax sales is being

implemented. The committee also asked that land grants with specific governing statutes be invited to the next meeting to advise the committee on whether or not they would like to repeal their statutes and come under Chapter 49, Article 1 NMSA 1978.

The meeting recessed at 6:00 p.m.

Thursday, September 8

The committee convened at 9:00 a.m. for a tour of the Mora land grant. The committee adjourned at 1:00 p.m. at the conclusion of the tour.